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# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92051006
Party	Defendant 12 Interactive, LLC
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Date	06/20/2012
Attachments	reply_in_support_of_trial_briefPERKSPOT.pdf ( 3 pages )(10519 bytes )

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

COUCH/BRAUNSDORF AFFINITY, INC.,	)
Petitioner/Counter-Registrant,	) )
V.	) Cancellation No. 92051006
12 INTERACTIVE, LLC,	)
Registrant/Counter-Petitioner	, ) )

#### REGISTRANT'S REPLY BRIEF AS PLAINTIFF IN THE COUNTERCLAIM

As outlined in 12 Interactive, LLC's ("PerkSpot's") Response to Petitioner's Motion to Reopen, Couch/Braunsdorf Affinity, Inc. ("Petitioner") has attempted to stall these proceedings once again by requesting that this Board reopen its long-closed testimony period, or in the alternative, reset the dates for it to respond to PerkSpot's trial brief. For the reasons set forth in its Response, PerkSpot has opposed Petitioner's Motion, and respectfully requested that dates set by the Board's December 9, 2011 Order remain as set.

Pursuant to the December 9, 2011 Order, Petitioner's Brief as Defendant in the Counterclaim and Reply was due June 5, 2012. Petitioner failed to file such a brief. PerkSpot's Reply in Support of its Counterclaims to cancel Petitioner's marks is due June 20, 2012. By this timely Reply, therefore, PerkSpot respectfully requests that the Board make its ruling based on the briefs already before it. Nonetheless, if the Board does grant Petitioner's Motion and reset the date for Petitioner's Brief, PerkSpot respectfully requests that the date for its Reply likewise be reset.

## Respectfully submitted,

Dated: June 20, 2012 /Michael G. Kelber/

One of the Attorneys for Registrant, 12 Interactive, LLC

Michael G. Kelber, Esq. Katherine Dennis Nye, Esq. NEAL, GERBER & EISENBERG LLP 2 North LaSalle Street, Suite 1700 Chicago, Illinois 60602 Telephone: 312.269.8000

### **CERTIFICATE OF SERVICE**

I, Katherine Dennis Nye, an attorney, state that I served a copy of *REGISTRANT'S* 

### REPLY BRIEF AS PLAINTIFF IN THE COUNTERCLAIM upon counsel for Petitioner-

Counter Registrant:

Philip A. Jones Joshua S. Frick BRINKS HOFER GILSON & LIONE 455 N. Cityfront Plaza Dr., Ste 3600 Chicago, IL 60611-5599

via First Class U.S. Mail and email on this 20<sup>th</sup> day of June, 2012.

/Katherine Dennis Nye/
Katherine Dennis Nye

NGEDOCS: 1990624.1